

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Matthew McDermott,

Plaintiff,

v.

Hard Beat Communications, Inc.,

Defendant.

Case No.: 1:24-cv-05119-JLR

Hon. Jennifer L. Rochon

~~PROPOSED~~ **DEFAULT JUDGMENT**

Upon consideration of the Plaintiff's motion for default judgment under Rule 55.2(b)(2) of the Federal Rules of Civil Procedure and Local Rule 55.2; and the declaration of plaintiff's counsel Craig B. Sanders and exhibits attached thereto, the Memorandum of Law, the Statement of Damages, and upon all prior papers and proceedings filed herein, ~~it is hereby~~ and for the reasons set forth on the record during the default judgment hearing on January 31, 2025, it is hereby:

**ORDERED, ADJUDGED and DECREED** that:


1. Default judgment as to liability for copyright infringement under 17 U.S.C. § 501 be entered against defendant Hard Beat Communications, Inc. ("Defendant");
2. Defendant is to pay ~~\$20,000.00~~ **\$750.00** in statutory damages under 17 U.S.C. § 504(c) for direct copyright infringement;
3. Defendant is to pay ~~\$25,000.00~~ **\$2,500.00** in statutory damages under 17 U.S.C. § 1203(c)(3)(B) for the willful distribution of the Photograph with removed or altered copyright management information;
4. Defendant is to pay ~~\$6,540.00~~ **\$5,040.00** in attorneys' fees and \$460.00 in costs pursuant to 17 U.S.C. § 505;
5. Defendant is to pay post-judgment interest under 28 U.S.C.A. § 1961;

6. The Court retains jurisdiction over any matter pertaining to this judgment; and
7. This case is dismissed and the Clerk of the Court shall close it on the Court docket.

New York, NY

Dated: January 31, 2025

**SO ORDERED**

  
Jennifer L. Rochon  
United States District Judge